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PTO/SB/05 (12/97)

Approved for use through 9/30/00. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i>	Attorney Docket No.	END9-2002-0061US1	Total Pages	37
	First Named Inventor or Application Identifier			
	David A. Burton			
	Express Mail Label No.	ER211527898US		

22388 U.S. PTO  
10/7/13445



<b>APPLICATION ELEMENTS</b> <i>See MPEP chapter 600 concerning utility patent application contents.</i>	<b>ADDRESS TO:</b> Commissioner for Patents Mail Stop Patent Application P.O. Box 1450 Alexandria, VA 22313-1450
<p>1. <input checked="" type="checkbox"/> Fee Transmittal Form <i>(Submit an original, and a duplicate for fee processing)</i></p> <p>2. <input checked="" type="checkbox"/> Specification (Total Pages) <u>28</u> <i>(Preferred arrangement set forth below)</i></p> <ul style="list-style-type: none"><li>- Descriptive title of the Invention</li><li>- Cross References to Related Application</li><li>- Statement Regarding Fed sponsored R &amp; D</li><li>- Reference to Microfiche Appendix</li><li>- Background of the Invention</li><li>- Brief Summary of the Invention</li><li>- Brief Description of the Drawings (if filed)</li><li>- Detailed Description</li><li>- Claim(s)</li><li>- Abstract of the Disclosure</li></ul> <p>3. <input checked="" type="checkbox"/> Drawing(s) (35 USC 113) (Total Pages) <u>7</u></p> <p>4. Oath or Declaration (Total Pages) <u>2</u></p> <p>a. <input checked="" type="checkbox"/> Newly executed (original or copy)</p> <p>b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <i>(for continuation /divisional with Box 17 completed)</i> [Note Box 5 below]</p> <p>i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b> Signed statement attached deleting inventor(s) named in prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</p> <p>5. <input type="checkbox"/> Incorporation by Reference (useable if Box 4b is checked) The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.</p>	<p>6. <input type="checkbox"/> Microfiche Computer Program (Appendix)</p> <p>7. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)</p> <p>a. <input type="checkbox"/> Computer Readable Copy</p> <p>b. <input type="checkbox"/> Paper Copy (identical to computer copy)</p> <p>c. <input type="checkbox"/> Statement verifying identify of above copies</p> <p><b>ACCOMPANYING APPLICATION PARTS</b></p> <p>8. <input checked="" type="checkbox"/> Assignment Papers (cover sheet &amp; document(s))</p> <p>9. <input type="checkbox"/> 37 CFR 3.73(b) Statement (when there is an assignee) <input checked="" type="checkbox"/> Power of Attorney</p> <p>10. <input type="checkbox"/> English Translation Document (if applicable)</p> <p>11. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input checked="" type="checkbox"/> Copies of IDS Citations</p> <p>12. <input type="checkbox"/> Preliminary Amendment</p> <p>13. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i></p> <p>14. <input type="checkbox"/> Small Entity <input type="checkbox"/> Statement filed in prior application, Status still proper and desired</p> <p>15. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>if foreign priority is claimed)</i></p> <p>16. <input checked="" type="checkbox"/> Other: Express Mail Certificate</p>

17. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.:

**18. CORRESPONDENCE ADDRESS**

☐ Customer Number or Bar Code Label 36491

☐ Or Correspondence address below

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**Assignee Name:** INTERNATIONAL BUSINESS MACHINES CORPORATION  
**Assignee Residence:** Armonk, New York

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**FEE TRANSMITTAL**Note: Effective October 1, 2001.  
Patent fees are subject to annual revision.**Complete If Known**

Application Number	Not yet assigned
Filing Date	November 14, 2003
First Named Inventor	David A. Burton
Group Art Unit	
Examiner Name	
Attorney Docket Number	END9-2002-0061US1

**TOTAL AMOUNT OF PAYMENT** \$ 1194**METHOD OF PAYMENT (check one)**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number: 09-0466Deposit Account Name: IBM CORPORATION

- ☒
- Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☐
- Charge the Issue Fee In 37 CFR at the Mailing of the Notice of Allowance

- 2.
- ☐
- Payment Enclosed:

☐ Check ☐ Money Order ☐ Other**FEE CALCULATION****1. FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	770
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

**SUBTOTAL (1)****\$ 770****2. CLAIMS**

	Extra	Fee from below	Fee Paid
Total Claims <span style="border: 1px solid black; padding: 0 5px;">27</span> - 20 =	<span style="border: 1px solid black; padding: 0 5px;">7</span>	<span style="border: 1px solid black; padding: 0 5px;">18</span>	<span style="border: 1px solid black; padding: 0 5px;">126</span>
Ind. Claims <span style="border: 1px solid black; padding: 0 5px;">6</span> - 3 =	<span style="border: 1px solid black; padding: 0 5px;">3</span>	<span style="border: 1px solid black; padding: 0 5px;">86</span>	<span style="border: 1px solid black; padding: 0 5px;">258</span>
Multiple Dep. Claims	<span style="border: 1px solid black; padding: 0 5px;">0</span>	<span style="border: 1px solid black; padding: 0 5px;">290</span>	<span style="border: 1px solid black; padding: 0 5px;">0</span>

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim

**SUBTOTAL (2)****\$ 384****FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	2053	130	Non-English specification	
1812	2520	1812	2520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1840*	1805	1840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1480	2254	740	Extension for reply within fourth month	
1255	2010	2255	1005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1510	1451	1510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - intentional	
1453	1330	2453	665	Petition to revive - unintentional	
1501	1330	2501	665	Utility issue fee	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Petitions related to provisional applications	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	40
1809	770	1809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee

**SUBTOTAL (3)****\$ 40****SUBMITTED BY**Typed or Printed Name Brian C. KunzlerSignature Brian C. Kunzler

Date

Nov 14, 2003**Complete (if applicable)**

Reg. Number

38,527

Deposit Account User ID

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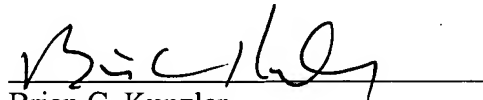
CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label No.: ER211527898

Date of Deposit: November 14, 2003

I hereby certify that this patent application in the name of David A. Burton and Noel S. Otterness for VIRTUAL INCREMENTAL STORAGE APPARATUS METHOD AND SYSTEM, together with the drawings, a Declaration, Power of Attorney, and Petition, an Assignment and Recordation Form Cover Sheet, Information Disclosure Statement, PTO Form 1449, and Copies of Cited References are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above in an envelope addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Respectfully submitted,



Brian C. Kunzler  
Reg. No. 38,527  
Attorney for Applicant

Date: November 14, 2003

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